

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81985 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- MAHILA P.S. District- Kishanganj

Bijay Kumar Ganesh @ Bijay Kumar Son of Late Ganga Lal Ganesh
Resident of Koimari Ward No. 08, P.S.- Dighalbank, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate
For the State : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-12-2025 Heard Mr. Dilip Kumar Singh, learned counsel for
the petitioner and learned APP representing the State.

2. The petitioner is in custody in connection with Kishanganj Mahila P.S. Case No. 28 of 2025 for the offence punishable under sections 64(1), 69, 126(2), 115(2), 351(2), 351(3), 352 and 3(5) of the B.N.S., lodged on 17.04.2025 by the informant, Suman Kumari.

3. As per the prosecution story, the informant alleged that her neighbour (petitioner herein) on the false promise of marriage had physical relationship and later upon pressure of marriage, escaped. The allegation is that the family members also abused/assaulted following the F.I.R.

4. Learned counsel for the petitioner submits that the F.I.R. was lodged six months later, both are major, it was a



consensual relationship, he has already suffered by being in custody since 20.08.2025 having no criminal antecedent. The last submission is that prior to the arrest, they tied nuptial knots as would manifest from Annexure-4 of the petition on 18th August, 2025.

5. Learned APP opposes the prayer for bail submitting that allegation of sexual assault is against the petitioner.

6. Considering the the aforesaid submissions, as recorded, coupled with the fact that he is in custody since 20.08.2025, has solemnized the marriage, has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kishanganj, in connection with Kishanganj Mahila P.S. Case No. 28 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

vinayak/-

U		T	
---	--	---	--

